

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

MARY CASEY, *as Administrator of the Estate  
of Phillip Casey, Deceased,*

Plaintiff,

v.

Case No. 09-cv-951-JPG

MARJORIE GUTHRIE, M.D., SOUTHERN  
ILLINOIS HEALTH CARE FOUNDATION,  
INC., *doing business as Belleville Family  
Health Center*, JULIE WITTENAUER, M.D.,  
ASHLEY MALCOLM, M.D., DAVID  
DORSEY, M.D., ST. ELIZABETH'S  
HOSPITAL OF THE HOSPITAL SISTERS OF  
ST. FRANCIS, *an Illinois Corporation*, ROOP  
LAL, M.D., HEIDI DUFF, P.A., and  
CARDIOLOGY CONSULTANTS, LTD.,

Defendants.

**MEMORANDUM AND ORDER**

This matter comes before the Court on Plaintiff Mary Casey's Objection (Doc. 22). Specifically, Casey objects to the Notice of Removal (Doc. 2) filed by Marjorie Guthrie, M.D. and Southern Illinois Health Care Foundation, Inc. ("Southern Illinois"). The Court **CONSTRUES** Casey's objection as a motion for remand under 28 U.S.C. § 1447(c). *See, e.g., Fate v. Buckeye State Mut. Ins. Co.*, 174 F. Supp. 2d 876, 877 (N.D. Ind. 2001); *Estate of Coggins v. Wagner Hopkins, Inc.*, 174 F. Supp. 2d 883, 885 (W.D. Wis. 2001). Accordingly, Guthrie and Southern Illinois have up to and including December 28, 2009, to file their response. Casey's reply, if any, shall be filed no later than January 8, 2009.

**IT IS SO ORDERED.**

**DATED: November 24, 2009**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**